

SEP-26-2005(MON) 15:05

GIFFORD KRASS

(FAX)17349136007

P. 001/009

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005

LAW OFFICES
GIFFORD, KRASS, GROH, SPRINKLE, ANDERSON & CITKOWSKI, P.C.
PATENT, TRADEMARK AND COPYRIGHT PRACTICE
101 N. MAIN STREET
SUITE 800
ANN ARBOR, MICHIGAN 48104-1476

(734) 913-9300
FACSIMILE (734) 913-6007
jposa@patlaw.com
dwathen@patlaw.com
mbuncroft@patlaw.com
jstaple@patlaw.com

FACSIMILE TRANSMISSION

DATE: September 26, 2005

TO: EXAMINER EDUARDO ROBERT

FACSIMILE NO.: 571-273-8300

FROM: John G. Posa

PAGES TRANSMITTED (INCLUDING COVER SHEET): 9

ORIGINAL DOCUMENTS WILL / WILL NOT X FOLLOW BY MAIL

RE: SN 10/007,477

MESSAGE:

Information contained in this facsimile may be PRIVILEGED and CONFIDENTIAL. It is intended only for the use of the person or entity named above. If you are not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is neither intended nor permissible. If this facsimile has been received in error, please notify us immediately (call collect) and return the facsimile to us.

SEP-26-2005(MON) 15:05

GIFFORD KRASS

RECEIVED
 CENTRAL FAX CENTER
 (FAX) 17349136007
 SEP 26 2005

P. 002/009

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s): Ferree

Docket No.

BAF-10703/29

| | | | |
|-------------------------------|-----------------------------|-----------------------|------------------------|
| Application No. 10/007,477 | Filing Date Nov. 8, 2001 | Examiner E. Robert | Group Art Unit 3732 |
|-------------------------------|-----------------------------|-----------------------|------------------------|

Invention: ENHANCED SURFACE AREA SPINAL FUSION DEVICES AND ALIGNMENT APPARATUS
 THEREFOR

I hereby certify that this Amendment, Amendment T ransmittal Letter
 (Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 571/273-8300)

on Sept. 26, 2005
 (Date)

Sheryl L. Hammer

(Typed or Printed Name of Person Signing Certificate)

Sheryl L. Hammer

(Signature)

Note: Each paper must have its own certificate of mailing.

SEP-26-2005(MON) 15:05

GIFFORD KRASS

RECEIVED
CENTRAL FAX CENTER(FAX)17349136007

P. 003/009

SEP 26 2005

COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)Docket No.
BAF-10703/29

In Re Application Of: Ferree

| | | | | | |
|-------------------------------|---------------------------|-----------------------|-----------------------|------------------------|--------------------------|
| Application No. 10/007,477 | Filing Date 11/08/2001 | Examiner E. Robert | Customer No. 25006 | Group Art Unit 3732 | Confirmation No. 2845 |
|-------------------------------|---------------------------|-----------------------|-----------------------|------------------------|--------------------------|

Invention: ENHANCED SURFACE AREA SPINAL FUSION DEVICES AND ALIGNMENT APPARATUS
THEREFORCOMMISSIONER FOR PATENTS:

This is a combined amendment and petition under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the Office Action of May 25, 2005 *Date* in the above-identified application.

The requested extension is as follows (check time period desired):

One month Two months Three months Four months Five months

from: August 25, 2005 *Date* until: Sept. 25, 2005 (Sunday) *Date*

RECEIVED
OIPC/AP

Applicant claims small entity status. See 37 CFR 1.27.

SEP 27 2005

The fee for the amendment and extension of time has been calculated as shown below:

CLAIMS AS AMENDED

| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
|---|-------------------------------------|-----------------------------|--------------------------------|------------|-------------------|
| TOTAL CLAIMS | 14 - | 20 - | 0 | x \$25.00 | \$0.00 |
| INDEP. CLAIMS | 3 - | 3 - | 0 | x \$100.00 | \$0.00 |
| FEE FOR AMENDMENT | | | | | \$0.00 |
| FEE FOR EXTENSION OF TIME | | | | | \$60.00 |
| TOTAL FEE FOR AMENDMENT AND EXTENSION OF TIME | | | | | \$60.00 |

SEP-26-2005(MON) 15:05

GIFFORD KRASS

RECEIVED
CENTRAL FAX CENTER

SEP 26 2005 (FAX) 17349136007

P. 004/009

**COMBINED AMENDMENT & PETITION FOR EXTENSION OF
TIME UNDER 37 CFR 1.136(a) (Small Entity)**

Docket No.
BAF-10703/29

The fee for the amendment and extension of time is to be paid as follows:

A check in the amount of _____ for the amendment and extension of time is enclosed.

Please charge Deposit Account No. 07-1180 in the amount of \$60.00

The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 07-1180

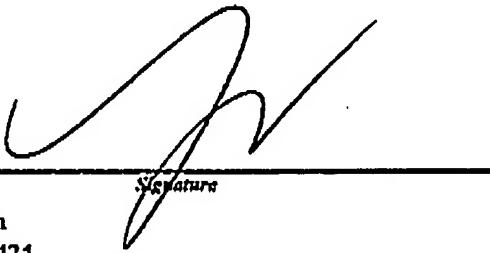
Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 CFR 1.17.

If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 07-1180

Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

John G. Posa
Reg. No. 37,424
Gifford, Krass, Groh et al
PO Box 7021
Troy, MT 48007-7021
Tel. 734/913-9300

cc:

Dated: Sept. 26, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

(Date)

Signature of Person Mailing Correspondence

VIA FACSIMILE

Typed or Printed Name of Person Mailing Correspondence